

## **REMARKS**

### **Status**

This Amendment is responsive to the Office Action dated December 14, 2006, in which Claims 1-9, 11-16, 19, 21-23, 30, and 31 were rejected; Claims 32-39 were withdrawn, and Claim 10, 17, 18, 20, and 24-29 were objected to. Claims 1-9, 11-15, 19, 30, and 32-39 have been canceled; Claims 10, 16-18, and 20 have been amended; and no new claims have been added. Accordingly, Claims 10, 16-18, 20-29, and 31 are pending in the application, and are presented for reconsideration and allowance.

### **Election/Restriction**

Applicant acknowledges the election of the invention of Group I, and has canceled Claims 32-39 directed to the non-elected invention of Group II.

### **Allowable Subject Matter**

The Office Action indicates that Claims 10, 17-18, 20, and 24-29 are objected to, but would be allowable if rewritten in independent form.

Claims 10, 17, 18, and 20 have been rewritten as independent claims, and as rewritten are believed to be in condition for allowance. Claims 24-29 are now dependent on an allowable base claim, and as such, are believed to be in condition for allowance.

The Office Action indicates that Claims 16, 21-23, and 31 are objected to, but would be allowable if rewritten in independent form.

Claim 16 has been rewritten as an independent claim, and as rewritten is believed to be in condition for allowance. Claims 21-23 and 31 are now dependent on an allowable base claim, and as such, are believed to be in condition for allowance.

Applicant thank the Examiner for the allowance of the Claims 10, 16-18, 20-29, and 31.

### **Claim Objection**

Claim 30 stands objected to because of informalities. Claim 30 has been canceled, and accordingly, this rejection is moot.

**Claim Rejection - 35 USC 112**

Claim 9 stands rejected under 35 USC 112, first paragraph, as failing to comply with the enablement requirement.

Claim 9 has been canceled, and accordingly, this rejection is moot.

Claims 16, 21-23, and 31 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Claim 16 has been amended to correct the antecedent basis for the “dynamic range control”. As amended, Claim 16 is believed to comply with 35 U.S.C. 112. Claims 21-23 and 31 are dependent on Claim 16, and are therefore also believed to be in compliance with 35 U.S.C. 112. Accordingly, withdrawal of the rejection is respectfully requested.

**Claim Rejection - 35 USC 103**

Claims 1-8, 11-14, and 19 are rejected under 35 USC 103(a) as being unpatentable over US Publication No. 2003/0179945 (*Akahori*) in view of US Patent No. 5,978,518 (*Oliyide*).

In order to promote prosecution of the present application, and without conceding either the correctness of the Office Action’s position or the need for amendment for patentability reasons, Applicants have cancelled Claims 1-8, 11-14, and 19. Accordingly, this rejection is moot.

**Claim Rejection - 35 USC 103**

Claim 15 is rejected under 35 USC 103(a) as being unpatentable over US Publication No. 2003/0179945 (*Akahori*) in view of US Patent No. 5,978,518 (*Oliyide*) and further in view of US Patent No. 7,079,700 (*Shinbata*) and in view of the Specification at Page 6, lines 18-24.

In order to promote prosecution of the present application, and without conceding either the correctness of the Office Action’s position or the need for amendment for patentability reasons, Applicants have cancelled Claim 15. Accordingly, this rejection is moot.

### **Claim Rejection - 35 USC 103**

Claim 30 is rejected under 35 USC 103(a) as being unpatentable over US Publication No. 2003/0179945 (*Akahori*) in view of US Patent No. 5,978,518 (*Oliyide*) and further in view of US Patent No. 7,079,700 (*Shinbata*) and in view of Hoppner et al ("Equalized contrast display processing for digital radiography").

In order to promote prosecution of the present application, and without conceding either the correctness of the Office Action's position or the need for amendment for patentability reasons, Applicants have cancelled Claim 30. Accordingly, this rejection is moot.


### **Summary**

Should the Examiner consider that additional amendments are necessary to place the application in condition for allowance, the favor is requested of a telephone call to the undersigned counsel for the purpose of discussing such amendments.

For the reasons set forth above, it is believed that the application is in condition for allowance. Accordingly, reconsideration and favorable action are respectfully solicited.

The Commissioner is hereby authorized to charge any fees in connection with this communication to Eastman Kodak Company Deposit Account No. 05-0225.

Respectfully submitted,

  
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